

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

KCI USA, INC.,	)	CASE NO. 1:14-CV-549
	)	
Plaintiff,	)	JUDGE BENITA Y. PEARSON
	)	
v.	)	
	)	
HEALTHCARE ESSENTIALS, INC., ET	)	
AL.,	)	
	)	
Defendants.	)	

**PLAINTIFF KCI USA, INC.’S APPLICATION FOR ENTRY OF DEFAULT  
AGAINST DEFENDANTS ANTHONY ESTRADA, ABEL CORTEZ,  
AND DANIEL RADER**

Plaintiff KCI USA, Inc. (“KCI”), by and through counsel, respectfully requests that the Clerk of this honorable Court enter default judgment against Defendants Anthony Estrada, Abel Cortez, and Daniel Rader pursuant to Federal Rule of Civil Procedure 55(a).

Pursuant to this Court’s February 17, 2017 Order (ECF No. 274), KCI filed its Third Amended Complaint on February 23, 2017 against Defendants Healthcare Essentials, Inc., Healthcare Essentials, LLC, RT Acquisition, Inc., Ryan Tennebar, Colin Tennebar, Healthcare Essentials Medical Devices, LLC, **Abel Cortez, Anthony Estrada, and Daniel Rader**. (ECF No. 276; *see also* Declaration of Anthony Sallah, attached as **Exhibit 1**, at ¶ 2). In compliance with Fed. R. Civ. P. 4(c), the process server served the Summons and Third Amended Complaint upon Defendant Anthony Estrada on March 13, 2017. (*See* Affidavit of Maria S. Monarez, ECF No. 284, p. 2). Pursuant to Rule 12(a)(1)(A)(i), Anthony Estrada was required to file and serve a responsive pleading or a motion no later than April 3, 2017. (*Id.*; Sallah Decl. at ¶ 4). To date, no responsive pleading or motion has been filed or served. (*Id.* at ¶ 5).

Additionally, and in compliance with Fed. R. Civ. P. 4(c), the process server served the Summons and Third Amended Complaint upon Defendant Abel Cortez on April 14, 2017. (*See* Affidavit of Carolina Meza, ECF No. 287, p. 2). Pursuant to Rule 12(a)(1)(A)(i), Abel Cortez was required to file and serve a responsive pleading or a motion no later than May 5, 2017. (*Id.*; Sallah Decl. at ¶ 7). To date, no responsive pleading or motion has been filed or served. (*Id.* at ¶ 8).

Finally, and in compliance with Local Rule 4.2(c), the Clerk of Court issued the Summons and Third Amended Complaint to Defendant Daniel Rader on May 12, 2017. (*See* Certificate of Mailing, ECF No. 293). Pursuant to Local Rule 4.2(c), Daniel Rader was required to file and serve a responsive pleading or a motion no later than June 5, 2017. (*Id.*; Sallah Decl. at ¶ 10). To date, no responsive pleading or motion has been filed or served. (*Id.* at ¶ 11).

Respectfully submitted,

/s/ Thomas O. Crist

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**CERTIFICATE OF SERVICE**

This is to certify that on June 29, 2017 a copy of the foregoing *Plaintiff KCI USA, Inc.'s Application For Entry of Default Against Defendants Anthony Estrada, Abel Cortez, and Daniel Rader* was sent by the Court's electronic filing system to attorneys of record. A copy of the foregoing was also sent via U.S. Mail, postage prepaid, to:

Anthony Estrada  
1733 Robert Wynn Street  
El Paso, Texas 79936

Daniel Rader  
5724 Kensington Circle  
El Paso, Texas 79924

Abel Cortez  
3516 Tierra Bahia Drive  
El Paso, Texas 79938

/s/ Thomas O. Crist  
*Counsel for Plaintiff KCI USA, Inc.*